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ABSTRACT

Material relating to Child Care Legislation is provided. The material concerns the following: (1) Provisions of H.R. 1 relating to child care: Opportunities for families program; Family assistance plan; (2) Excerpts from House report on H.R. 1 relating to child care: Provision of child care by Department of Labor; Exclusion of child care expenses from income for welfare purposes; Administrative system for providing child care; and child care tax deduction; (3) Excerpt relating to child care from the second annual report of the Department of Health, Education, and Welfare to the Congress on services to families receiving aid to families with dependent children under title IV of the Social Security Act; (4) Proposed revised Federal day care requirements: I. Introduction; II. Definitions; III. Program standards--A. Environmental considerations, B. Educational services, C. Health and nutrition services, D. Social services, E. Staffing, F. Parent involvement, and G. Administration and coordination; IV. Waivers of requirements; and (5) Comparison of Long Bill (S. 2003) and Title VI of Ribicoff Amendment No. 318 to H.R. 1. (DB)

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ADDITIONAL MATERIAL RELATED TO

CHILD CARE LEGISLATION

COMMITTEE ON FINANCE
UNITED STATES SENATE
RUSSELL B. LONG, *Chairman*

SEPTEMBER 21, 1971

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ADDITIONAL MATERIAL RELATED TO

CHILD CARE LEGISLATION

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PROVISIONS OF H.R. 1 RELATING TO CHILD CARE

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PROVISIONS OF H.R. 1 RELATING TO CHILD CARE

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[OPPORTUNITIES FOR FAMILIES PROGRAM]

CHILD CARE AND OTHER SUPPORTIVE SERVICES

SEC. 2112. (a)(1) The Secretary of Labor shall make provision for the furnishing of child care services in such cases and for so long as he deems appropriate (subject to section 2179) for individuals who are currently registered pursuant to section 2111(a) or referred pursuant to section 2117(a) (or who have been so registered or referred within such period or periods of time as the Secretary of Labor may prescribe) and who need child care services in order to accept or continue to participate in manpower services, training, or employment, or vocational rehabilitation services.

Provides that the Secretary of Labor shall arrange for child care services for registered persons who are participating in manpower services, training, or employment.

(2) In making provision for the furnishing of child care services under this subsection, the Secretary of Labor shall, in accordance with standards established pursuant to section 2134(a), arrange for or purchase, from whatever sources may be available, all such necessary child care services, including necessary transportation. Where available, services provided through facilities developed by the Secretary of Health, Education, and Welfare shall be utilized on a priority basis.

Provides for purchase of necessary child care services, with priority on utilizing services developed by Secretary of Health, Education, and Welfare.

(3) In cases where child care services cannot as a practical matter be made available in facilities developed by the Secretary of Health, Education, and Welfare, the Secretary of Labor may provide such services (A) by grants to public or nonprofit private agencies or contracts with public or private agencies or other persons, through such public or private facilities as may be available and appropriate (except that no such funds may be used for the construction of facilities (as defined in section 2134(b)(2)), and (B) through the assurance of such services from

Provides that services may be provided through contracts and grants with public and private agencies.

other appropriate sources. In addition to other grants or contracts made under clause (A) of the preceding sentence, grants or contracts under such clause may be made to or with any agency which is designated by the appropriate elected or appointed official or officials in such area and which demonstrates a capacity to work effectively with the manpower agency in such area (including provision for the stationing of personnel with the manpower team in appropriate cases). To the extent appropriate, such care for children attending school which is provided on a group or institutional basis shall be provided through arrangements with the appropriate local educational agency.

Provides that those receiving child care services should pay part or all of the cost when able.

(4) The Secretary of Labor may require individuals receiving child care services made available under paragraph (2) or provided under paragraph (3) to pay (in accordance with the schedule or schedules prescribed under section 2134(a)) for part or all of the cost thereof, and may require (as a condition of benefits under this part) that individuals receiving child care services otherwise furnished pursuant to provision made by him under paragraph (1) shall pay for the cost of such services if such cost will be excludable under section 2153(b)(3).

Provides for close cooperation between the manpower agencies and providers of child care.

(5) In order to promote, in a manner consistent with the purposes of this title, the effective provision of child care services, the Secretary of Labor shall assure the close cooperation of the manpower agency with the providers of child care services and shall, through the utilization of training programs and in cooperation with the Secretary of Health, Education, and Welfare, prepare persons registered pursuant to section 2111 for employment in child care facilities.

Provides for regular reports on amount and location of child care services.

(6) The Secretary of Labor shall regularly report to the Secretary of Health, Education, and Welfare concerning the amount and location of the child care services which he has had to provide (and expects to have to provide) under paragraph (3) because such services were not (or will not be) available under paragraph (2).

Directs Secretary of Labor to allocate 50% of child care funds

(7) Of the amount appropriated to enable the Secretary of Labor to carry out his responsibilities under this subsection for any fiscal year, not less than

50 percent shall be expended by the Secretary of Labor in accordance with a formula under which the expenditures made in any State shall bear the same ratio to the total of such expenditures in all the States as the number of mothers registered under section 2111 in such State bears to the total number of mothers so registered in all the States.[1]

among the States on basis of number of mothers registered for work and training in each State.

* * * * * * *

[FAMILY ASSISTANCE PLAN]

CHILD CARE AND OTHER SUPPORTIVE SERVICES

SEC. 2133. (a)(1) The Secretary of Health, Education, and Welfare shall make provision for the furnishing of child care services in such cases and for so long as he deems appropriate (subject to section 2179) for individuals who are currently referred pursuant to section 2132(a) for vocational rehabilitation (or who have been so referred within such period or periods of time as the Secretary of Health, Education, and Welfare may prescribe) and who need child care services in order to be able to participate in the vocational rehabilitation program.

Provides for child care services for individuals participating in vocational rehabilitation services.

(2) In making provision for the furnishing of child care services under this subsection, the Secretary of Health, Education, and Welfare shall arrange for and purchase, from whatever sources may be available, all such necessary child care services, including necessary transportation, placing priority on the use of facilities developed pursuant to section 2134.

Directs the Secretary of HEW to arrange for all necessary child care services including transportation.

(3) Where child care services cannot as a practical matter be made available in facilities developed pursuant to section 2134, the Secretary of Health, Education, and Welfare may provide such services, by grants to public or nonprofit private agencies or contracts with public or private agencies or other persons, through such public or private facilities as may be available and appropriate (except that no such funds may be used for the construction of facilities (as defined in section 2134(b)(2))). In addition to other grants and contracts made under the preceding sentence, grants or contracts under such sentence may be made to or with any agency which is

Authorizes the Secretary of HEW to provide child care services by grant or contract with public or private facilities when such services are not available through facilities constructed by the Secretary and requires proper designation

[1] Pages 330–333.

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designated by the appropriate elected or appointed official or officials in such area and which demonstrates a capacity to work effectively with the manpower agency in such area (including provision for the stationing of personnel with the manpower team in appropriate cases). To the extent appropriate, such care for children attending school which is provided on a group or institutional basis shall be provided through arrangements with the appropriate local educational agency.

of the facilities by the appropriate local official. Provides that, when appropriate, group care of school age children can be made through arrangements with local educational agencies.

(4) The Secretary of Health, Education, and Welfare may require individuals receiving child care services made available under paragraph (2) or provided under paragraph (3) to pay (in accordance with the schedule or schedules prescribed under section 2134(a)) for part or all of the cost thereof, and may require (as a condition of benefits under this part) that individuals receiving child care services otherwise furnished pursuant to provision made by him under paragraph (1) shall pay for the cost of such services if such cost will be excludable under section 2153(b)(3).[2]

Provides that the Secretary of HEW may require individuals participating in vocational rehabilitation to pay all or part of the cost of child care services if they are able.

* * * * * * *

STANDARDS FOR CHILD CARE; DEVELOPMENT OF FACILITIES

SEC. 2134. (a) In order to promote the effective provision of child care services, the Secretary of Health, Education, and Welfare shall (1) establish, with the concurrence of the Secretary of Labor, standards assuring the quality of child care services provided under this title, (2) prescribe such schedule or schedules as may be appropriate for determining the extent to which families are to be required (in the light of their ability) to pay the costs of child care for which provision is made under section 2112(a)(1) or section 2133(a)(1), and (3) coordinate the provision of child care services under this title with other child care and social service programs which are available.

Provides for the establishment of standards for the quality of child care services, reasonable fees for families who are able to pay for these services, and for coordination of child care services under this title with other available child care services.

(b)(1) The Secretary of Health, Education, and Welfare, taking into account the requirement of section 2112(a)(7), is authorized to provide for (and

Provides for construction of child care facilities through grants or

[2] Pages 347-349.

pay part or all of the cost of) the construction of facilities, through grants to or contracts made with public nonprofit agencies or organizations, in or through which child care services are to be provided under this title.

contracts with public or private nonprofit agencies.

(2) For purposes of this subsection, the term "construction" means acquisition, alteration, remodeling, or renovation of facilities, and includes, where the Secretary finds it is not feasible to use or adapt facilities for use for the provision of child care, construction (including acquisition of land therefor) of facilities for such care.

Defines "construction" as acquisition, alteration, remodeling, or renovation—as well as construction of new facilities where it is not feasible to adapt existing ones.

(3) If within twenty years of the completion of any construction for which Federal funds have been paid under this subsection—

(A) the owner of the facility shall cease to be a public or nonprofit private agency or organization, or

(B) the facility shall cease to be used for the purposes for which it was constructed, unless the Secretary determines in accordance with regulations that there is good cause for releasing the owner of the facility from the obligation to do so.

Provides for reimbursement to the government of an amount based on the ratio of the amount of Federal funds to the total cost of construction of the facility if within 20 years of its completion, a facility constructed with Federal funds is no longer owned by a public or nonprofit private agency or is no longer used for the purpose for which it was constructed.

the United States shall be entitled to recover from the owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of construction of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

(4) All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this subsection shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276(a)–276(a)–5). The Secretary of Labor shall have with respect the labor standards specified in this subsection the authority and functions set forth in Reorganization

Provides that laborers and mechanics employed on construction projects be paid at least the prevailing wage of the locale.

Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276 (c)).

(5) Of the sums authorized by section 2101 to be appropriated for any fiscal year, not more than $50,000,000 shall be appropriated for purposes of the provisions of this subsection.

Authorizes appropriation of not more than $50 million for any fiscal year to carry out the purposes of this subsection.

(c) The Secretary of Health, Education, and Welfare is authorized to make grants to any public or nonprofit private agency or organization, and contracts with any public or private agency or organization, for part or all of the cost of planning; establishment of new child care facilities or improvement of existing child care facilities, and operating costs (for periods not in excess of 24 months or for such longer periods as the Secretary finds necessary to insure continued operation) of such new or improved facilities; evaluation; training of personnel, especially the training of individuals receiving benefits pursuant to part A and registered pursuant to section 2111; technical assistance; and research or demostration projects to determine more effective methods of providing and such care.[3]

Authorizes funds for grants and contracts for planning, evaluation, training of personnel, technical assistance, and research and demonstration projects to determine more effective methods of providing child care.

* * * * * * *

INITIAL AUTHORIZATION FOR APPROPRIATIONS FOR CHILD CARE SERVICES

SEC. 2179. Of the sums authorized by section 2101 to be appropriated for the fiscal year ending June 30, 1973, not more than $700,000,000 in the aggregate shall be appropriated to the Secretary of Labor to enable him to carry out his responsibilities under section 2112(a) and to the Secretary of Health, Education, and Welfare to enable him to carry out his responsibilities under sections 2133(a) and 2134(c).[4]

Authorizes appropriations of up to $700 million for child care services in fiscal year 1973.

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[3] Pages 349–352.
[4] Pages 386–387.

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CHILD CARE SERVICES FOR AFDC RECIPIENTS DURING TRANSITIONAL PERIOD

Conforming amendment providing for continuation of child care services to AFDC recipients as presently provided for under Parts A and C of Title IV, until June 30, 1972.

SEC. 508. Until the close of June 30, 1972, the Secretary of Health, Education, and Welfare may utilize his authority under section 2133 of the Social Security Act (as added by section 401 of this Act) to provide for the furnishing of child care services for members of families who are entitled to receive services under part A of title IV of the Social Security Act and who need child care services in order to accept and participate in employment or to participate in a work incentive program under part C of such title, as though such family members were individuals referred pursuant to section 2132(a) of such Act.[5]

[5] Page 413.

EXCERPTS FROM HOUSE REPORT ON H.R. 1 RELATING TO CHILD CARE

EXCERPTS FROM HOUSE REPORT ON H.R. 1 RELATING TO CHILD CARE

* * * * * * *

[PROVISION OF CHILD CARE BY DEPARTMENT OF LABOR]

The work requirement and manpower services program will succeed or fail, depending on whether sufficient child care opportunities can be created. The experience with the present WIN program has shown clearly the importance of child care services in enabling mothers to undertake employment and training. Child care under present law has been inadequate, with the result that many AFDC mothers who might have moved toward economic independence have been unable to do so because of the lack of adequate child care arrangements for their children. Statistics provided by the Department of Health, Education, and Welfare show that significant numbers of mothers have been deterred from participating in the WIN program *solely* because of the lack of child care. Others have been enrolled but have had to drop out because of the uncertain nature and quality of their child care arrangements.

Many of the mothers who are now receiving assistance under the AFDC program have both the desire and the potential to move into employment. A recent study by the Department of HEW indicated that the proportion of AFDC women with high employment potential increased from 25.3 percent in 1961 to 44.5 percent in 1968. Thus, it is reasonable to expect that almost half of the AFDC mothers can be moved into regular employment, with training, child care, and concentrated employment efforts. The report stated that "as the AFDC caseload grew ever larger between 1961 and 1968, recipients were more and more women who had stronger educational and occupational backgrounds, that is, high employment potential". *However, the report also notes that over 80 percent of the women reportedly could not take jobs because they had children under age eight at home, and more than 50 percent lacked child care facilities.*

Your committee recognizes that if the mothers who are enrolled in the new program are in fact to be helped toward moving off welfare, and if their children are to be helped to break out of the welfare cycle, it is essential that the availability of a wide range of child care services be vastly expanded. The need is for both pre-school and school-age services, with combinations of these services necessary for many mothers. Based on a 1969 survey of AFDC mothers, the Auerbach Corporation in its report on child care services under WIN stated:

> Of the mothers on AFDC, over eighty percent have some combination of school age and pre-school age children for whom some care is probably required. Fewer than fifty percent of these households have only pre-school children. Out of the total of one and one-half million AFDC households,

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> only 431,800 have pre-school children exclusively; another 615,600 have school age children exclusively; and 548,400 have some combination of both school age and pre-school age children. . . . These figures indicate that the problem for the *potential* WIN population is not only for day care for pre-schoolers, but rather for some arrangement to take care of children before and after classes, or of some combination of service for both pre-schoolers and school age children.

It is clear that present law provisions for child care services are not adequate to meet the expanded need under the new program. More funds are needed, and a greater flexibility in developing services must be provided. As described later in this report, your committee's bill contains a number of provisions which will promote the child care services needed in support of the employment and training provisions of the bill. Perhaps most importantly, however, your committee's bill centers the responsibility for providing child care services to mothers in work or training on the Secretary of Labor. In this way, it is expected that the necessary coordination of manpower services and child care services will be achieved. The Secretary of Labor will have both authority and funds to purchase needed child care. It is intended that whenever possible he will use facilities developed by the Secretary of Health, Education, and Welfare, as described later in the report. However, when such facilities are not available, it will be the responsibility of the Secretary of Labor to secure child care through other sources. Your committee does not intend that the lack of child care will be cited as an impediment to the success of the program.

The Secretary of Labor may purchase child care directly through contracts with public or non-profit agencies. He may buy child care from private, profit-making enterprises. He may enter into contracts with school systems to supply after-school child care for youth of school age. He may operate, through his manpower agencies, a system whereby seekers of child care are brought together with persons who would like employment through caring for children.

The Secretary could make considerable use of a voucher system, under which the mother can have maximum choice in selecting a child care facility.

When the mother moves from training into employment (or goes directly into employment), rather than the Secretary paying for required child care, the mother would be required to pay for the care out of her earnings, if her earnings were substantial enough, and then get credit for the expenditure by deducting the cost from the earnings which would otherwise be used to reduce family benefits.

It is expected, therefore, that funds earmarked for child care slots will be used primarily to pay for child care when the mother is in training, while the earnings disregard provision will be used when the mother is working. The effect of this latter provision is to increase the child care support provisions well beyond that which could be achieved by direct purchase of care.

In cooperation with HEW, the Department of Labor will arrange for the training of recipients for jobs in child care facilities.

During the first year a total of $750 million would be authorized for child care, including $50 million for alteration, remodeling, and

construction to create new facilities. The WIN day care authorization would be repealed. This authorization would support 875,000 child care slots of which 291,000 would be for pre-school-age children and 584,000 for school-age children.

Your committee believes that this authorization would provide for sufficient child care service to support the employment and training openings which are proposed under the bill in the first year. It has also taken into consideration the testimony of the Administration that this is the maximum expansion in services which could be achieved in that period of time. However, your committee fully expects that every effort will be made in future years to expand services as rapidly as is necessary and possible. For this reason, no specific authorization beyond the first year is included in the bill.

The bill provides that 50 percent of funds available to the Department of Labor would be allocated among the States on the basis of the number of mothers registered under the program.[1]

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[EXCLUSION OF CHILD CARE EXPENSES FROM INCOME FOR WELFARE PURPOSES]

Third, your committee's bill would provide for the exclusion of an amount of earned income of a family member equal to all or part (subject to the limits described below) of the cost incurred in obtaining child care which is necessary for securing or continuing employment. The schedule under which the cost of child care would be deducted would be made consistent with the fee schedule established by both Secretaries for child care provided directly. The intent is that the effective cost of child care for all those entitled to it would vary according to income, but would be the same regardless of whether the participant was affected be the income disregard provision or had care provided directly. The Secretary of Labor could require a working mother enrolled under the Opportunities for Families program to purchase child care herself where it is available and then use the earnings disregard provision to pay for it. Child care costs which could be disregarded under this provision could not exceed the going rate in the community in order to avoid situations where the cost of care provided by friends and relatives would be inflated. Your committee believes that, since child care is frequently costly, failure to exclude the cost of this care from income in determining the amount of the assistance payment might well create a disincentive, if not a total barrier, to employment on the part of some mothers. Under other provisions in the bill the Secretary of Health, Education, and Welfare and the Secretary of Labor are required to assure that child care is available for mothers who are in training.[2]

* * * * * * *

[ADMINISTRATIVE SYSTEM FOR PROVIDING CHILD CARE]

Your committee's bill requires the Secretary of Labor and the Secretary of Health, Education, and Welfare, both directly (by contract or grant to public or private agencies) and through a system of prime grantees, to provide child care services to those who need

[1] Pages 166–168.
[2] Pages 176–177.

them in order to participate in employment, training, or rehabilitation programs. The Secretaries would arrange for the provision of child care services to recipients for as long as they deem it necessary. However, your committee expects that reasonable limitations on the duration of services would be established. The Secretary of Labor is to utilize in the first order of priority child care services which have been developed by the Department of Health, Education, and Welfare before going elsewhere for such services. The Department of Labor is required to report regularly on any purchases or program development which it makes outside of the HEW delivery system. This is believed desirable because HEW has the resonsibility to take the lead role in the creation of appropriate child care facilities for participants in the Opportunities for Families program, and coordination of such services.

The prime grantee for a geographical area is to be designated by the appropriate elected or appointed official or officials in that area, and would be required to demonstrate a capacity to work effectively with the manpower agency. Where appropriate, consideration should be given to the use of local school systems through arrangements with local educational agencies. Child care programs provided under the act would be of various kinds in order to meet the needs of different children. Both Secretaries are authorized to charge a fee for part or all of the cost of child care in accordance with the family's ability to pay.

Your committee believes that these child care provisions would help overcome some of the obstacles which have previously inhibited the development and provision of adequate child care services. By providing for Federal initiative and responsibility and full Federal funding, your committee is making it possible for the Department of Labor and the Department of Health, Education, and Welfare to move expeditiously and quickly, without being required to wait for State or local organizations and agencies to provide matching programs and funding. Where, in the judgment of the Secretary, such matching funds are readily obtainable, however, he is directed to arrange for these to be included in the plans for a specific child care project.

Your committee also expects that each Department will use its grant and contract author y to make certain that the organizations and agencies involved will provide for a greater diversity in the kinds of child care than that which is currently available. For example, school age children could, in many cases, be most appropriately cared for in the school when care is needed in out-of-school hours. Each Secretary would be able to utilize public agencies, as well as private, non-profit and profitmaking agencies and organizations. Thus, both the public and private sectors would be used in the provision of child care. The same authority would be available to prime grantees in entering into agreements within their areas of responsibility.

Your committee believes that well-designed child care programs, in addition to benefiting parents by freeing them for work, can also be of great benefit to the child and can help to break the cycle of poverty. Child care for the pre-school child should not be care of low quality, but should include educational, health, nutritional, and other needed services whenever possible. However, the lack of child care of that level would not be good cause for failure to take training, if other adequate and acceptable care is available.

The bill authorizes funds for grants to any public or non-profit private agency, and contracts with any public or private agency or organization, for evaluation, research, training of personnel, technical assistance, or research or demonstration projects to determine more effective methods of providing child care services.

In order to assure that child care resources will be developed as rapidly as possible, the bill provides that the child care provisions will be effective as soon as the bill is enacted into law. In order to give adequate notice of available funding, appropriations for one year, to pay the cost of the program during the next year, would be authorized. Also, to make the transition to advance funding, initial funding under your committee's bill would be provided for the year of enactment of this bill and for the next year.

In order to assure an appropriate division of responsibilities in the furnishing of child care by the two Departments, the following understanding has been reached with your committee:

The Department of Health, Education, and Welfare has primary responsibility for—

(1) Child care planning, technical assistance, staff training, facilities construction and renovation and the creation of new child care facilities through provision for initial operating grants (for up to 24 months, or longer if the Secretary finds it necessary).

(2) Setting child care standards (with concurrence of the Department of Labor) and maintaining quality control.

(3) Coordinating activities with other child care and social services programs.

(4) Providing child care for vocational rehabilitation participants.

The Department of Labor has primary responsibility for—

(1) Arrangement for and purchase of child care services from all available sources for participants in the Opportunities for Families program.

(2) According priority to the purchase of child care services in facilities developed by the Department of Health, Education, and Welfare, before going elsewhere in the market, when use of these facilities is feasible and appropriate.

(3) Providing close and direct link between the manpower agency and child care services.

(4) Training of mothers of jobs in child care facilities.

(5) Securing child care in private homes as feasible.

The Secretary of Health, Education, and Welfare is authorized to make grants to public or nonprofit private agencies for the cost of alteration, remodeling, or renovation of child care facilities, or where this is not feasible, the construction of new facilities. A sum of not more than $50 million per year is authorized for construction, renovation, and remodeling of child care facilities.

The AFDC program would expire when the new Federal family programs become effective, July 1, 1972. Between the enactment date of this bill and July 1972, the Secretary of Health, Education, and Welfare is expected to use his authority and available child care funds to provide child care services for AFDC families in order to maximize the effectiveness of the present WIN program.[3]

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[3] Pages 192–194.

[CHILD CARE TAX DEDUCTION]

General statement

Under present law, certain categories of taxpayers are granted limited income tax deductions for amounts they spend for the care of a dependent child where this enables the taxpayers to be gainfully employed. In general terms, this deduction for child care expenses has been fully available either where there was only one employable parent in the family or where the combined earnings of the husband and wife were not greater than the median family income level in the United States. The median income level at the time this provision was revised in 1964 was approximately $6,000. More specifically, the categories of taxpayers eligible for child care deductions under present law are:

1. Working wives where the adjusted gross income of the husband and wife does not exceed $6,000 and a joint return is filed (the deduction in this case is phased out on a dollar-for-dollar basis for income above $6,000),
2. Working wives whose husbands are incapable of work because they are physically or mentally incapacitated,
3. Widows and working women (other than wives) with children,
4. Widowers, and
5. Husbands whose wives are incapacitated or institutionalized (if the wife is incapacitated but not institutionalized the $6,000 limit referred to above applies).

Although the deduction is primarily concerned with the expenses for the case of a dependent child (under age 13), it is also available to a taxpayer supporting other dependents unable to care for themselves because they are physically or mentally incompetent.

Under present law, the maximum deduction for child care expenses is $600 in the case of one dependent, and $900 for two or more dependents. At the time this deduction was first made available, the $600 figure represented the exemption level. This level was provided because the Congress had concluded that the additional expenses for the care of a child should be limited to the same amount allowed for a personal exemption.

The committee believes that this child care provision needs updating in two respects. First, the level of the deductible expenses needs to be raised. The exemption level has increased from the $600 level in effect in 1954 when this provision was first adopted to a level of $750 applicable for 1973 and subsequent years. It is also clear that since 1954, the cost of child care has increased sharply. For these reasons, your committee's bill raises the maximum child care deduction for one child from $600 to $750. For the second child, as under prior law, the equivalent of an additional half exemption is allowed raising the total for two dependents from $900 to $1,125. The bill further liberalizes present law by granting an additional increase in the deduction for a taxpayer who has three or more dependents. Such a taxpayer is to be allowed a maximum deduction of $1,500 instead of the $900 provided under present law.

Second, average family incomes have risen sharply. Since 1964, median family incomes have risen from about $6,000 to nearly $10,000 in 1970. Your committee concluded, therefore, that it was desirable to raise substantially the income level where the child care deduction is available for two working parents. The committee concluded that it was desirable to make provision for those with combined income levels somewhat above the current median family income level. Therefore, it raised this allowable level to $12,000.

These amendments are to be effective for the calendar year 1972 and later years.

The annual revenue cost of these changes is expected to be approximately $75 million. This does not take into account any expansion in the work force stimulated by this credit.

General explanation

To accomplish the results referred to above, the bill amends present law (sec. 214(b)(1)) to provide that the child care deduction is not to exceed $750 where there is one dependent, is not to exceed $1,125 where the taxpayer has two dependents, and is not to exceed $1,500 where the taxpayer has three or more dependents. In all of these cases the deduction actually taken, as under present law, may not exceed the actual child care expenses incurred for the purpose of enabling the taxpayer to be gainfully employed.

The bill also amends present law (sec. 214(b)(2)(B)) by increasing from $6,000 to $12,000 the combined adjusted gross income that a husband and wife may have and still be eligible for the child care deduction. For those with incomes immediately above this level, a reduced child care deduction may be taken, the amount decreasing on a dollar-for-dollar basis with respect to each dollar of income of the husband and wife above $12,000. Thus, where there is one dependent, no child care deduction would be available to a couple with a combined income level above $12,750. In cases where there are three or more dependents, no deduction will be available where the combined income level is above $13,500.

The amendments referred to here apply to taxable years beginning after December 31, 1971.[4]

[4] Pages 236–237.

EXCERPT RELATING TO CHILD CARE FROM THE SECOND ANNUAL REPORT OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE TO THE CONGRESS ON SERVICES TO FAMILIES RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN UNDER TITLE IV OF THE SOCIAL SECURITY ACT

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EXCERPT RELATING TO CHILD CARE FROM THE SECOND ANNUAL REPORT OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE TO THE CONGRESS ON SERVICES TO FAMILIES RECEIVING AID TO FAMILIES WITH DEPENDENT CHILDREN UNDER TITLE IV OF THE SOCIAL SECURITY ACT

Child Care

Mothers who are found appropriate for referral to the manpower agency for training and ultimate employment must be assured of a child care plan. The absence of such a plan is considered a valid reason for a finding of inappropriateness, at least temporarily. As suggested earlier, this was a factor for not referring mothers in seven percent of the cases found inappropriate in the quarter October–December 1970. In addition, of those referred to the manpower agency, some are returned to welfare because there is not an adequate child care plan, a reason that accounts for four percent of the individuals referred back to the welfare agency.

Child care for working women is a national problem on which debate continues in the Congress and among interested citizens. Because many mothers choose to work despite inadequate provision for their children, it has become a national concern. Welfare mothers are not an exception, but their problem is made more acute because of their low earnings, the sparse neighborhood resources for child care, and the problem of having no husband to help in managing the household and the children. H.R. 1, in recognition of this problem, provides additional funds for child care.

There is no doubt that lack of acceptable facilities for child care is a handicap. Some mothers are no doubt kept out of the program, and ceilings set by States on child care costs contribute to this. Nonetheless, the observers of the current program believe that the combined efforts of the recipients themselves and the welfare agency have freed many women for work, enough in fact to fill the available training slots. In spite of the fact that less than half the States refer mothers on a mandatory basis, the presence of so many women in the program indicates that a large number volunteer for referral. As of December 31, 1970, there were 53,800 mothers with a total of 127,000 children enrolled in the WIN program. Of the total, 57,000 were under the age of six and 68,600 were between six and fourteen. (The large number of children under six also indicates the number of volunteer mothers in the program.)

The arrangements for the children show that by far the largest number are cared for in their own home. In fiscal year 1970, 40 percent of the children were in the home of a relative or friend. Family day care arrangements took care of nearly 20 percent, group care, about 1 percent; and day care centers, nearly 17 percent.

The above data suggest that most arrangements are informal, worked out by the mother herself, a situation that concerns some child development experts who fear the plans may be too informal and may not offer enough protection to the child. A study made in April 1971 shows that child care under WIN is gradually rising in cost, although still quite low and below estimates. Even with the increases, it is clear that the child care is generally not high quality care. State reports tell of the efforts the welfare agencies are making to provide more and better day care slots. The present law makes no funds available for construction, and this has been a serious handicap in many locations. Current fiscal problems of the States also limit the availability of funds for renovation and equipment of facilities. Under H.R. 1, a greater emphasis would be placed on expanding child care services.

PROPOSED REVISED FEDERAL DAY CARE REQUIREMENTS

(NOTE: On September 23, 1968, the Federal Panel on Early Childhood promulgated the Federal Interagency Day Care Requirements; these were reprinted in the Finance Committee Print "Child Care Data and Materials" dated June 16, 1971, pages 147–156. The Federal Panel on Early Childhood consists of the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor. In the light of experience, draft revised standards were prepared by the Department of Health, Education, and Welfare and distributed for comment June 18, 1971.)

PROPOSED REVISED FEDERAL DAY CARE REQUIREMENTS

(Draft distributed for comments June 18, 1971)

I. INTRODUCTION

We live in a rapidly changing world. More mothers enter the labor market every day. More and more families seek help in making arrangements for care of their children while they must be away. For these and a variety of other reasons, an increasing number of people need day care services in their community.

Realizing this urgent need for day care, communities throughout the Nation are beginning to set up programs which will insure for children the growing and learning conditions essential to a happy, healthy, and secure childhood. State and local public and private agencies, organizations and groups, individuals acting together in cooperative efforts or acting alone, industries and labor organizations are all vitally concerned and involved in establishing and operating day care programs. The federal government through a variety of different federal programs, shares a partnership role with communities by providing needed funds and technical help, and by sponsoring research and demonstration efforts aimed at improving our knowledge of how better to help children and families through day care services.

The purpose of this manual is to set forth *requirements which day care programs must meet if they are receiving federal funds*, either (1) directly through a grant or contract with the federal government or by way of reimbursement of expenditures, or (2) indirectly through a grant or contract with an agency acting as administrator of federal funds in the area, by way of reimbursement through a vendor payment made by the administering agency, or by way of a voucher given to the child's parent(s) by the administering agency.

Administering agencies may develop specific requirements and procedures within the framework of the *Federal Day Care Requirements*. However, such requirements must be equal to the federal requirements in terms of the program quality level required, but may provide for a higher quality level.

As a condition for federal funding, agencies administering day care programs must assure that the requirements are met in all programs or facilities which the agencies establish, operate, or utilize with federal support. Administering agencies are expected to review operating programs and facilities for which they directly or indirectly have responsibility and to assure that the federal requirements are met. Noncompliance may be grounds for suspension or termination of funds.

The requirements will also be utilized by federal agencies in the evaluation of administering and operating programs. However, the agency which receives federal funds directly from the federal government will be held accountable.

The manual has been designed, not only as a means for delineating federal requirements, but also to aid in interpreting why each requirement is made, and to provide ideas regarding how the requirement may be met. The format used, therefore, is as follows:

1. Bold Type Statement of the Requirement
2. The Reason for the Requirement [shown in italic type]
3. Helpful Ideas for Meeting the Requirement

For the purposes of this manual, *day care* is defined as the care of a child on a regular basis by someone other than the child's parent(s), for any part of the 24 hour day. It is recognized that a variety of different definitions appear in federal and State legislation, particularly in laws relating to day care licensing. However, basic to all definitions is the principle purpose for which the child participates—to receive care and protection while the child's parent(s) must be away.

Day care programs, because of the developmental services and experiences they offer for children, are often used as a service resource to meet the special needs of children needing peer group experiences, of children with emotional problems who can benefit from peer experiences, and for children whose parents need relief from the stresses of child rearing. Certainly, many other reasons can be given as to why and how day care can serve to meet needs of children and their families. All such uses of a day care service are appropriate and encouraged. For, after all, any service program should be used in any creative way imaginable if the end result is to help a human to live a happier, and more useful life. No regulation, federal or State, should stand in the way of this goal.

II. DEFINITIONS

Day care services/program

Comprehensive and coordinated sets of activities providing for care, protection and development of infants, preschool and school age children on a regular basis during any portion of a *24 hour day*. Comprehensive services include, but are not limited to, educational, social, health, and nutritional services and parent participation activities. Such services require provision of supporting activities including administration coordination, admissions, training, and evaluation.

A day care program constitutes a particular set of day care services.

Administering agency

Any agency, public or private, which receives federal funds directly through a grant from, or contract with, the federal government, or by way of reimbursement of expenditures, and which is *directly* responsible to the federal government for use of the funds. The usual administering agencies under the present federal programs to which these requirements apply are as follows:

Federal program

Title IV, Social Security Act
Title I, Economic Opportunity Act Youth Program

Title III, Part B, Economic Opportunity Act (Assistance to Migrant, and other Seasonally Employed Farmworkers and their Families)
Title V, Part B, Economic Opportunity Act—Day Care Projects
Manpower Development and Training Act
Title I, Elementary and Secondary Education Act (Program funded under this Title may be subject to these requirements at the discretion of the State and local education agencies)

Administering agency

Title IV, State/local public welfare agency
Title I, the Contracting Agency
Title II, Community Action Agency or Single purpose agency grantee
Title III, the Grantee agency
Title V, the Grantee agency
State Employment Service and Local Grantees
Title I, State/local education agency

Operating agency

Any agency, public or private, which receives federal funds directly (as an administering agency), or *indirectly* through a grant or contract with an agency acting as administrator of federal funds in the area, by way of reimbursement through a vendor payment made by the administering agency or by way of a voucher given to the child's parent(s) by the administering agency for day care services provided for the child and his family. *The operating agency is the actual provider of the day care service.* Such service providers may include an individual caring for a child in a private home, the owner/operator of a proprietary day care center, a private non-profit agency operating a family day care home program or day care center, or a community-wide public or private agency designated to act for a group of individual operators.

Day care facility

The actual place where a day care program is provided for children which may be a private home, a specifically constructed day care center, a mobile unit or an area of another building, such as a church, school, apartment, or office building, specifically used for day care.

In-home day care

Day care services which are provided in the home of the children by someone other than the child's own parent(s). Such care may be provided by a relative, a friend a neighbor, or someone employed to come into the home to care for the children. These Requirements only apply to such care when the caretaker is being paid directly or indirectly through use of federal funds. Often, in-home day care may be provided by an agency as a Program, with caretakers recruited, trained and supervised by the agency and placed in a child's home at the request of the parent(s).

In-home care is suitable for any child. However, it may be the preferred choice for children who are handicapped and cannot participate in outside-the-home programs, for children who require care during the nighttime or swing shift hours, or for children who live a far distance from any other day care program.

Family day care home

The private home of a person who takes care of children. Such care may be provided by a relative, friend, neighbor or someone who provides care for children as a business. These Requirements only apply when the caretaker is being paid directly or indirectly through use of federal funds. A family day care home may be operated independently or as part of an agency Program, with caretakers recruited, trained and supervised by the agency. The agency arranges for placement of children in the home.

Family day care is suitable for any child. However, it may be the preferred choice for infants, toddlers, and sibling groups and for neighborhood-based arrangements. Family day care homes are especially suitable for children needing after-school care. A homelike atmosphere is essential to a family day care home. Therefore, only as many children including those of the caretaker, as can be integrated into the caretaker's family living pattern should be served; the maximum number is usually 6 children. (See sec. III E)

Group day care home

An extended or modified family residence usually having a section of the residence especially reserved for day care activities. One or several employees working under the direction of the principle caretaker assist in the day care activities.

A group day care home arrangement may be the preferred choice for children who need after-school care and who can profit from association with their peers, but need a neighborhood-based arrangement. Group day care homes are usually limited to the care of 12 children. (See sec. III E)

Day care center

A specifically designated day care facility which may be in a converted private dwelling, a settlement house, a school, a church, a public housing complex, or in a specially constructed building. A day care center is usually staffed with a variety of people, depending upon the size of the center and the services provided.

A day care center arrangement may be preferred for any child between ages 3 and 6 years. However, it is also suitable for school-age children and for children under age 3, when certain provisions are made to meet the particular needs of these children (See sec. III E). Day care centers usually serve more than 12 children.

III. PROGRAM STANDARDS

For purposes of convenience the material which follows is organized into separate units. However, in the actual implementation

each of the units would be closely interwoven to equal a total, well-balanced program.

The day care worker or teacher should have a concern for health matters, the nurse for social service functions, and the parent coordinator for helping professional staff understand parental roles and activities and how to coordinate with them. A program has unity to the extent its staff works from a common base of understanding of behavior and the same sets of objectives and priorities.

A community program of day care, to allow for choices based on the needs of all children and to respect the preferences of parents, should be comprehensive and coordinated. It should include all types of facilities and a considerable range of services to meet various levels of need, including services needed by culturally deprived children, and by children with particular handicaps or problems.

A. Environmental Considerations

Licensing

All day care programs and facilities must be licensed by the appropriate State and local agencies when such licensing is required or provided for on a voluntary basis.

State law and local ordinance may require that day care programs or facilities be licensed in order to legally operate within the State or local area or they may provide for licensing on a voluntary basis. Such licensing is a means for safeguarding children while apart from their parent(s) by assuring for them a level of care deemed by the community to be required as a minimum for their safety, care, and development.

In most States, either the State health or welfare agency has responsibility for licensing day care programs or facilities, or will be aware of what agency has such responsibility. The operator or proposed operator of a day care program or facility should contact these agencies to determine whether a license is required and, if so, the conditions for licensing. State officials can usually indicate whether local ordinances must be met as a condition for operation.

The administering agency must be satisfied that the operating program or facility is licensed before utilizing federal funds for care of children in the program or facility.

Facilities Location

Day care facilities must be located in a geographic area convenient to members of the group of families eligible for participation under the regulations of the Federal agency funding the program or daily transportation to and from the facility must be provided or arranged for by the administering agency, when the facility is located at a location inconvenient for the families and when a child's parent is unable to provide transportation.

The location of a day care facility is important in order that travel time and costs be kept reasonable for the child's parents and the program operators. In addition, a facility located near the parents' home will enable them to more easily participate in the program.

Requirements appear in bold type; ***the reason for the requirement is shown in italic type*** **and helpful ideas for meeting the requirement appear in regular type.**

In assisting parents to make arrangements for their children, facility location, as well as the developmental needs of the child and desires of the parents, should be taken into account. The method of transportation used by the parents, the number of transfers when public transportation is used, the time of day or night, and the number and ages of children to be transported will have direct effect on the success or failure of a day care plan. Also important is the location of other community resources providing services as part of the administering agency's day care services plan.

Often, parents would prefer that their school age children receive care in the same facility after school where the pre-school child receives care so that all of the children can be picked up or delivered home at the same time. Many times, it can be arranged that the school bus transport these children to the day care facility instead of the child's home, or if the day care facility is located in the child's neighborhood, walking there, instead of home, could be the choice.

It is not always easy to find ideal locations for day care facilities or to design a system of transportation which adequately meets all situations; however, attention must be given to this important area toward the end that all children are provided with safe transportation within reasonable travel time and cost.

B. Educational Services

The administering agency must assure that educational services are provided by each operating agency as part of the day care program.

Educational services constitute an important part of the day care program whether the program is designed to serve infants, preschool age children or school age children, whether the program is in a home setting or a center setting. Present knowledge about the growth and development of children indicates that the learning process begins at birth and ends at death, can be stimulated or retarded by outside influences and the children who are provided with positive learning experiences can make cognitive gains.

A broad variety of techniques for working with infants, preschoolers and school age children in a home or in a group setting have been developed, tested and proven successful for the provision of educational services in day care. Files, handbooks, training guides and materials relative to these approaches are available and can be obtained at reasonable cost. Day care centers and agency-sponsored day care home programs usually include provision of educational services, and the role of the administering agency may be minimal in assuring that such services continue to be provided. However, attention should be given to assisting these agencies to improve and expand their work, share ideas and keep abreast of new knowledge. More time of the administering agency may be required in developing educational services as part of the day care program provided in a child's own home, and in stimulating active work with infants wherever the location. Training, the provision of materials and supervision are methods which can be utilized in assuring the provision of these services.

Educational services must be under the direction of a staff member who has been trained in child growth and development or who has demonstrated ability in working with children and who has demonstrated skills in planning and supervising educational activities for pre school age children.

There is no exact formula as to the number of years of training or experience which are required to provide a person with the necessary skills to plan and direct an educational services program for children. However, a knowledge of child growth and development, knowledge of materials and techniques, curriculum planning skills, and ability to establish positive guiding relationships with other adults are important requirements for success. The administering agency may wish to establishing specific requirements as to type and length of training and experience which is indicative of accomplishment of skills.

Exceptions to such specific requirements should be allowed, however, in order that competent persons who are able to adequately manage the tasks of the job are not "locked out" by rigid barriers.

Both the administering agency and operating agencies have responsibility for meeting this requirement. The administering agency which is responsible for assuring that educational services are provided by operating agencies and which is responsible for arranging for day care in children's on homes or in individual family day care homes will require a staff person on its staff giving attention to the educational services program. The operating agency which is a day care center, an agency operating a family day care home program, or a community-wide agency designated to act in behalf of a group of individual operators will require one or more, educational services specialists to plan and direct the educational services program for the operting agency. When an operating agency serves less than sixty children, a staff person having other responsibilities may be assigned responsibility for directing the educational services program. A record indicating the training and experience of each educational services specialists should be kept on file in the office of the administering or operating agency as evidence that this requirement is met.

An operating agency must provide a variety of daily activities for each child participating in the day care program which are designed to influence a positive self-concept and enhance social, cognitive and communication skills taking into consideration the development stage and ethnic background of each child. Each day care facility must have toys, games, books, equipment and materials for educational development and creative expression appropriate to the developmental stages of the children served and the type of facility.

Children learn with greater understanding when they have opportunities to explore and respond in an accepting environment which offers a variety of stimulating experiences and materials appropriate to their developmental, social and cognitive needs and skills. Since for participating infants and preschool age children the day care experience comprises a large portion of their total day, the planned program in which they take part will differ considerably from that of the school age youth who normally will be participating only during non-school hours or school holidays.

Requirements appear in bold type; *the reason for the requirement is shown in italic type* and helpful ideas for meeting the requirement appear in regular type.

Day care programs for children ages three through five years are generally the most obvious ones in which the development of self-concepts, social, cognitive and communication skills can be recognized. Through use of games, rhythms, building blocks, natural raw materials used with paints, clay and glue, by planning self directed and group directed activities, by acquainting the children with words, ideas, and new experiences, by planned changes in the day care environment yet planned repetition of concepts, and through the provision of helping relationships by warm adults the child is helped to learn. It is not often so easy to recognize how these goals can be reached in working with infants, yet they can. By holding, cuddling, talking to and singing to infants, development of social and communication skills takes place; by providing opportunities for exploration throughout supervised areas which may be as small as a blanket or as large as a room, by allowing infants and toddlers to interact and explore and by providing opportunities for the child to experience different spatial and temporal relationships, a concept of self apart from other persons or things, a knowledge of things and their meaning, and social skills are formed. School age children, who are engaged in learning experiences during the school day will require opportunities to develop concepts of self and social relationships in different ways. Participation in planning and directing activities and relationships with new persons and experiences not provided by the school offer these opportunities.

Materials which are designed for educational activities in day care, natural materials found in the environment, and the creative genius of the person providing care are all important elements in a successful educational service program. Planning and individual attention to each child's progress are the catalysts which assure success.

Persons directly responsible for the care of children and for supervising the daily activities of the children in the day care program of an operating agency must have had training or demonstrated competencies in working with the age level of children for whom they are assigned responsibilities.

In order that children can be given the optimum chang of growing and expanding to the extent of their physical and mental abilities, day care staff persons who have primary responsibility for them must know how to develop and conduct a continuous process of learning opportunities and activities in light of each child's needs and progress.

The administering agency will need to be assured that individuals providing care and operating agencies, employing more than one person to care for and supervise activities of children in a facility, select individuals with training or demonstrated ability. A record indicating the training and experience of each person should be kept on file in the administering or operating agency as evidence that this requirement is met.

C. Health and Nutrition Services

The administering agency must assure that each child in the day care program receives, prior to or within one month from the date of

enrollment and subsequently at regular intervals appropriate to his age and state of health complete medical, dental, and other health evaluations appropriate to his age.

Good health is generally regarded as an individual's most valuable asset and is the foundation necessary for the proper growth and development of a child on which lies the success of other services. The parent of the day care child, as any other parent, has primary responsibility to ensure good health for his children. It is the responsibility of the administering agency to assure that a health care plan is developed with the parent for the day care child and for ensuring that the plan is carried out. Children should have regular and complete health evaluations. If the administering agency has determined that a child has received such an examination within a three month period prior to enrollment, a written report of the examination should be maintained on file as evidence of compliance.

The administering agency should assist as far as possible, each parent in selecting a physician from whom their child will receive services. Reports of all subsequent health evaluations should also be kept on file.

The administration agency must make arrangements to assure that each child in the day care program is provided all immunizations appropriate to his age, medical and dental care, and other health related treatment which is determined necessary by a qualified physician for proper growth and development utilizing existing community resources when they are available. In the absence of other financial resources the administering agency must provide, whenever authorized by law, such treatment with its own funds. The administering agency must assure that parents are provided with assistance in making appointments for treatment for their children, in obtaining transportation, in understanding treatment instructions, and in filing prescriptions and applying medication.

The full physcial development of the child must be a concern of the day care program inasmuch as children of all ages, and infants and preschoolers in particular, can have lasting physical and mental disabilities resulting from unmet health needs.

The extent of the availability of medical and dental resources in the community, transportation considerations and the preference of the child's parents will each be factors which influence how medical and dental services are arranged, i.e., in the doctor's office or in the day care home or center. To encourage a family doctor-private patient relationship, the administering agency may wish to assist parents in arranging for the child to receive services in the office of a physician selected by the parent.

A parent should be with his child when he is receiving physical, dental or mental examinations or treatments. The purpose of his presence is not only to reassure and comfort this child but also to communicate with the doctor directly as to the child's condition, questions he may like to have answered and receive instructions regarding prescriptions or treatment.

Written health records of children, including evaluations, reports of treatment and special instructions for health care, must be maintained in a place where they are readily available and easily obtained when needed.

Requirements appear in bold type; *the reason for the requirement is shown in italic type* and helpful ideas for meeting the requirement appear in regular type.

The value of the well-maintained health record can be measured only to the extent that it is used in assurance that the child receives prescribed treatment and regular reevaluation. It should be viewed as an important part of the child's history which follows him from one day care arrangement to another and in the case of younger children, to enrollment in school.

For purposes of accessibility, all records should be kept in a central file and procedures developed for forwarding them as the children leave the program.

The administering agency must provide for annual review by a qualified physician or a trained health paraprofessional under the supervision of a qualified physician, of the health records of the children in the day care program and the health services procedures of operating agencies. The administering agency must assure that operating agencies have access to the consultation of a qualified physician regarding the health procedures of the operating agency.

The annual review of records by a trained health paraprofessional is to assure that there must have been no oversights such as follow-up on recommended treatment or skipping of sequential immunizations and that regular re-evaluations have been scheduled. The assistance of a qualified physician regarding the health procedures established and followed by the operating agency will assure that the health program is comprehensive and that there is consistency among operating agencies.

As part of the orientation services developed for the operating agency the administering agency may choose to have a session presented by a qualified physician regarding recommended health procedures which should be followed at the operating agency level in assuring services to the child and his family. Following the presentation the physician should make regular scheduled follow-up visits to each operating agency to discuss and plan how the recommended procedures could be adapted to the specific needs of the operating agency and the children it serves.

An operating agency must provide a daily evaluation of each child for indication of illness.

As a part of the daily routine, there must be a simple inspection of each child to observe if there appear to be any indications of illness or discomfort so that the child can receive the proper attention before his condition worsens or he infects others.

Such a simple inspection can be done as the child arrives in the morning and in removing his coat or can be conducted in a small group with several children and incorporated as part of the health learning for the day.

An operating agency must make advance arrangements for the care of a child who is injured or becomes ill, including isolation if necessary, notification of his parents and provision for emergency first aid and medical care.

For the comfort and safety of the child who is injured or becomes ill while in the day care setting as well as for the protection of the other children, it is necessary that there be a place provided away from the program activities where immediate health need can be given attention until other arrangements consistent with the physician's instructions can be made.

Requirements appear in bold type; *the reason for the requirement is shown in italic type* and helpful ideas for meeting the requirement appear in regular type.

The plan for emergency health services should include prior arrangement with neighborhood pediatricians or physicians and with nearby clinics or hospitals which may be called upon. To assure the best care possible, there should be planned in advance those steps to be taken when unexpected medical attention or first aid is required. The plan of action along with telephone numbers which may be needed should be clearly written and posted for quick and easy reference. All equipment and supplies necessary for emergency first aid should be maintained and used only as instructed by a physician consultant.

An operating agency must keep on file evidence of an annual medical examination by a qualified physician of each staff person employed in the day care program of the operating agency, certifying to the staff persons' freedom from communicable disease and attesting to their physical, mental, and emotional competence to care for children.

Just as it is important that there be assurance that each child enjoy good health it is of the utmost importance that there be such a concern for the well being of the adults who work with day care children. Not only must the adult be free from contagious infection such as tuberculosis, but must also have the stamina, energy, and emotional stability to work under the demanding conditions created by a group of healthy, active children.

It should be at the discretion of the operating agency to determine under what circumstances release time from work and assistance to meet the expense incurred for the annual examination and tests can be covered by program funds. Each operating agency should keep in a central file current medical reports on all members of the day care staff and regular volunteers.

The administering agency must arrange for health education services for children in the day care program and their parents, and for the staff in operating agencies, which is designed to disseminate accurate knowledge about health, how to cope with health hazards and resources for health services, and to promote personal responsibility in establishing good health habits.

The attainment and maintenance of good health is not something which can be limited to those hours during which the child is in the day care setting. It is greatly influenced by the health conditions of other members of the family with whom the child lives; the amount and kind of foods which are served at home; personal health habits practiced in the home as related to frequent bathing, washing of hands, brushing of teeth; and the condition of the residence itself, whether it has heat and water and is clean and safe.

Through the use of films, posters, speakers, leaflets and discussions, each using the language best understood by the adult and child many educational opportunities regarding good safety and health habits can be brought into the day care experience. In addition to the safety and health activities carried out in the day care setting the parent and child can be encouraged to share experiences at home such as the removal of potential fire hazards by clearing the house and yard area of paper, boxes and other debris; and the planting of a fruit and vegetable garden and preparation of its healthful yield.

Requirements appear in bold type; *the reason for the requirement is shown in italic type* and helpful ideas for meeting the requirement appear in regular type.

Nutrition services

The administering agency must provide for annual review of the nutrition program of operating agencies by a qualified nutritionist or food service specialist, trained nutrition paraprofessional under the supervision of a qualified nutritionist or food service specialist. The administering agency must assure that operating agencies have access to the consultation of a qualified nutritionist regarding the nutrition program of the operating agency.

It is conceivable that an operating agency may be faced with food planning, preparation and serving for infants and children of markedly different areas or dietary requirements. Even when special situations do not exist, the nutrition program for each day care setting must have available consultation from a qualified nutritionist regarding foods and feeding of infants, toddlers, and older children, including the composition, preparation and storage of formulas; serving of foods, compensatory feeding of nutritionally deprived children; and needs of children with poor eating habits or cultural preferences.

The administering agency may have a qualified member of the staff available for consultation services to the operating agency or may contract for such services or otherwise make arrangements to utilize services of the staff of the Department of Public Health, Department of Agriculture, Extension Service, and local colleges. The paraprofessional nutrition worker could be the parent of a day care child for whom the position would be the appropriate next career step and should be involved in the development of a service plan for centers and day care home programs and have opportunities to lead work shops and assist cooks in the selection, preparation, and storing of food and demonstrate how tasty nutritious foods can be prepared at less expense.

An operating agency must provide adequate and nutritious meals and snacks appropriate to the age and ethnic background of the children served and time of day they are in attendance, which are prepared in a safe and sanitary manner. Consideration must be given to the special dietetic needs of children as prescribed by a qualified physician.

Because it is known that the value of food is both physical and psychological, the nutrition program for each day care setting whether a home or center must be planned with considerations given to the cultural, social and emotional meaning of food for children.

The operating agency should be prepared to provide evidence of menu plans, purchasing procedures, and meals that are planned sufficiently in advance in a thoughtful manner so that they meet the test of good nutrition. The administering agency may choose to observe periodically food preparation, serving and eating at a day care operating agency.

The administering agency must arrange for nutrition education services for children in the day care program, their parents, and the staff in operating agencies, which is designed to disseminate knowledge about food, its nutritional value, its preparation, meal planning and purchasing.

Balanced nutrition is basic to the attainment and maintenance of good health for the adult as well as the child. When the body is furnished

with foods which contain the vitamins, proteins and minerals necessary to feed growing tissue it is better able to function at its optimum level and ward off infections and physical and mental fatigue, thus allowing the adult and child to pursue his work, studies or play with enthusiam and energy.

The administering agency should solicit suggestions from parents, school age children and staff regarding the type of nutritional workshops they would consider interesting and important. They should draw on the resources of companies, agencies and colleges which make available personnel and material for nutrition education as well as the talent of parents who have skill and knowledge in preparing nutritious meals utilizing ingredients which may have ethnic and cultural appeal.

D. Social Services

The administering agency must assure that social services are available to parents of children participating in the day care program to assist in determining the appropriateness of day care, and the best type of arrangement for a particular child or family, to assess with the parents the child's adjustment in the day care program and to assist parents in utilizing resources in the community to meet the family's needs.

It is the prime responsibility of social services in a day care program to help families maximize their strengths and to resolve their problems, be they emotional, social or economic, which have an adverse effect on the quality of family life. It is toward this end that social services are extended to families of children receiving day care in home or center settings.

The requirement may be met by the administering agency in a variety of ways. When an operating agency has social services as a part of its program of services, the administering agency should provide technical assistance, when requested, to improve service, bring new knowledge to the attention of the operating agency, and periodically evaluate the social services component to recommend ways of strengthening the program. For those parents with children in operating agencies without social services, the administering agency may provide these services directly or provide for them through a third agency. In some communities, a central unit provides social services for families using any of the day care operating agencies in the community.

Social services must be under the direction of a qualified staff person, trained social service paraprofessionals must be used in productive roles to provide social services.

Important requirements for the person selected by the administering agency to plan and develop the social services and training and experience in the counseling of children and adults; the knowledge and ability to utilize the resources of agencies; knowledge of the language and culture of the families served in the day care program; and the ability to coordinate and direct volunteers and social work aides and the motivation to help people overcome their problems. The administering agency may wish to establish specific requirements as to type and length of training and experience which is indicative of accomplishment of skills. Exceptions to

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Requirements appear in bold type; *the reason for the requirement is shown in italic type* and helpful ideas for meeting the requirement appear in regular type.

such specific requirements should be allowed, however, in order that competent persons who are able to adequately manage the tasks of the job are not prevented from doing so because of prohibitive stringent requirements.

When an administering agency serves less than sixty children in an area, a staff person having other responsibilities may be assigned responsibility for directing the social service program. Operating agencies providing social services as part of their day care program, administering agencies providing social services directly, and third party agencies providing social services through arrangement with the administering agency should keep on file in its office a record of the training and experience of the staff members with responsibility for the social service program as evidence that this requirement is met.

E. Staffing

The administering agency must assure that methods of recruiting and selecting staff to work in the day care program ensure equal opportunity for all interested persons to file an application and have it considered within reasonable criteria and that priority in employment is given to persons in low-income families.

Of the various aspects of a day care program the most important to the children and their families are the members of the staff. They are the people who safeguard the children, help plan the program, carry it out, handle day-to-day emergencies, influence attitudes, and together make the day care experience either a good or poor one for the children. Thus it is important that all persons who have the demonstrated ability and the temperament and desire to work with children be considered for employment opportunities in day care.

The administering agency should establish policies relative to the selection of staff and should periodically review the operating agency's procedures for the advertising of available jobs, and interviewing and hiring of employees. The administering agency should review the records maintained by the operating agency relative to the application and selection process.

The administering agency must assure that required staff ratios are met and maintained by operating agencies, (as indicated in this section) that operating agencies have adequate advance arrangements for substitute staff and that, when an operating agency employs more than one person, written job descriptions are given to each employee.

It is usually only through small group and one-to-one exchange that the maximum benefit of day care experiences can be derived. Thus encouraging attentive listening, conversation, knowledge of the child's life outside of the day care setting, warmth, individual rapport, and affording a child the opportunity to identify closely with at least one adult. The administering agency must assure that capable staff in the recommended ratio is always present and that each member of the staff has a clear understanding of his responsibility as explained in orientation sessions and provided in a written form.

On the following page are listed the required qualified adult-to-child ratio for day care programs utilizing federal funds. However, operating agencies may find it necessary and desirable to exceed these

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recommendations and have more adults as regular members of the staff working with the children. Influencing factors are not only the ages and numbers of children and whether the day care setting is a home or center, but also special features of the program, such as the enrollment of handicapped children and, to some extent, the physical features of the facility. Recruitment and involvement on a regular on-going basis of day care parents and community volunteers can be an invaluable method of augementing staff capabilities while also providing these adults with a worthwhile experience. When community volunteers are utilized in fulfillment of the staff-child ratio requirements, such volunteers must be in regular attendance on a preplanned basis functioning as if they were an employed member of the staff.

In regard to those staff members directly responsible for supervising children, an operating agency must maintain the staffing ratio indicated, which is appropriate to the type of day care arrangement provided by the agency.

In-home day care: One adult over age twenty-one is required. No more than one family of children may receive care.

1 adult for a total enrollment of one family of children.

Family day care homes: One adult over age twenty-one is required. No more than six children under the age of fourteen, including the children of the caretaker, under age six, may receive care at any one time, except that no more than two children under the age of two may receive care at any one time. Children over age fourteen who receive care must be siblings of the younger children in care.

1 adult for a total enrollment of 6 children.

Group day care homes: One adult over age twenty-one is required, assisted by an additional adult over the age of eighteen when more than six children receive care at any one time. No more than twelve children may receive care at any one time.

1 adult for a total enrollment of 6 children.

Infants and toddlers

Day care centers: When a child under the age of three receives care in a group, one adult over the age of twenty-one is required for every twelve children, assisted by one adult over the age of eighteen when more than four children under the age of three receive care and a second adult over the age of eighteen when more than eight children under the age of three receive care in the group.

1 adult for a total enrollment of 4 children.

1 adult and 1 aide for a total enrollment of 5 to 8 children.

1 adult and 2 aides for a total enrollment of 9 to 12 children.

Preschool

When a child over the age of three, but under the age of six, receives care in a group, one adult over the age of twenty-one is required for every fifteen children, assisted by one adult over the age of eighteen when more than eight children receive care in the group.

1 adult for a total enrollment of 8 children.

1 adult and 1 aide for a total enrollment of 9 to 15 children.

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School age

When children over the age of six receives care in a group, one adult over the age of twenty-one is required for every thirty children, assisted by one adult over the age of eighteen when more than fifteen children receive care and a second person over the age of fifteen when more than twenty-five children receive care in the group.

1 adult for a total enrollment of 15 children.
1 adult and 1 aide for a total enrollment of 16 to 25 children.
1 adult and 2 aides for a total enrollment of 25 to 30 children.

Staff training

The administering agency must provide, arrange for, or otherwise assure the provision of orientation, continuous inservice training, and supervision for all persons, paid or volunteers, working in the day care program, including those persons working in operating agencies. Training content must include general program goals as well as specific program concerns in the areas of nutrition, health, child growth and development, educational guidance and remedial techniques, and the relation of the child to his parents and the community.

Proper preparation and continuous training of the total day care staff concerning both programmatic and administrative topics will better assure development and maintenance of high quality day care services. Such training will also contribute to the development of a viable work force in the field of child development and prepare staff for increasingly responsible roles in the day care program.

The talents and resources of the entire community should be drawn upon in meeting this requirement. Community colleges, universities, local school systems, voluntary and professional groups, and Federal, State and local public agencies may all have resources and an interest in participating in the training program. By providing training on a community-wide basis, persons working in homes and those working in centers will have an opportunity to share ideas, learn from each other while learning a common set of information through the training program and thus be in a better position to provide a consistent plan of developmental services when a child moves from a home to a center or when a family of children receive care in both a center and a home. Such integrated training will also provide a basis for persons to move in employment from a home to a center and vice versa.

The administering agency must assign responsibility for developing and coordinating the orientation and training program to a specific staff member who shall involve persons working in the operating agencies in designing the program.

Staff orientation and training activities are meaningful to the participants when they offer the information and opportunity to learn skills which are considered to be important by them in carrying out their day care responsibilities and attaining career goals. In order to assure that the orientation and training programs developed by the administering agency are relevant to the needs of the staff the administering agency must assign a person who has the experience, interest, and ability to work both with employees of the program and representatives from the community

agencies and institutions in planning and developing orientation and training. The administering agency may wish to establish specific requirements as to type and length of training and experience which is indicative of accomplishment of skills. Exceptions to such specific requirements should be allowed, however, in order that competent persons who are able to adequately manage the tasks of the job are not prevented from doing so because of prohibitive stringent requirements.

When an administering agency serves less than sixty children in an area, a staff person having other responsibilities may be assigned responsibility for developing and coordinating the orientation and training program. The coordinator should have continuous contact with the staff in order to solicit their suggestions and understand their training needs. Depending on the size of the total program this contact could be maintained through regular conversations, written questionnaires, and/or the formation of a training advisory committee which should include the minimum of one representative from each operating agency.

F. Parent Involvement

The administering agency must assure that every parent of a child receiving services in the day care program has an opportunity to communicate their ideas, concerns, and suggestions for the day care program. Parents must be provided with clear and understandable information regarding to whom and how their interests are to be communicated. All written communication and a record of all verbal communication must be maintained in a central file and made available to Federal officials upon request.

The physical and emotional involvement of parents in day care programs is based on the belief that parents are interested in and capable of fulfilling their responsibility for the provision of services to their children. The attitudes, opinions, and actions of those persons involved in the planning, implementation and maintenance of day care programs must reflect this belief in their manner and actions, so that parents participate as full partners in all aspects of the programs.

There are many ways of encouraging effective parent involvement including participation in the process of developing policy and making decisions about the nature, development, and conduct and overall direction of the program; employment as paid members of the day care staff in both center and home settings; involvement in activities whether educational or recreational which they help to plan and carry out according to their own interests as parents and as individuals; regular conferences with members of the staff to discuss the development and needs of their child. An interesting and important way for parents and guardians to be involved in the child's day care experiences is to observe him while he is at the center or day care home. This can be done as a visitor. However, a way which the parent can be of even more value is as a volunteer worker. As a volunteer, he can be involved in the activities of the day care program right along with the child and have an opportunity, not only to understand better the things children in day care do and learn, but to participate in staff orientation and training activities thus possibly leading to new employment and career opportunities.

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The administering agency must have an advisory committee composed of parents of children in the day care program and representatives of professional organizations or individuals who have particular knowledge or skills in children's and family programs. Not less than fifty per cent of the committee membership shall be parents of children in the day care program who are selected by the parents themselves in a democratic fashion.

In order to provide maximum opportunity for parents to be involved in policy and decision making roles each administering agency must have an advisory committee made up of at least 50% parents of children who are eligible to receive federally supported day care services, as elected by the parents in a democratic fashion. To assure the broadest involvement of services and expertise the remaining membership must include representatives of major public and private agencies and organizations, operators of proprietary and non-profit day care programs who have a strong interest in the provision of high quality day care for children of low income families. The day care policy setting committee must be a separate body from any other which the administering agency may have. It is recommended that if an administering agency does have a separate Board of Directors membership on that Board be open to a duly elected representative of the parents serving on the policy advisory committee.

The responsibilities and privileges of the advisory committee encompass those which are not exclusive to the advisory committee of the operating agency. Whereas the attention of the advisory committee of the operating agency is focused directly on what occurs in the program in that particular facility, the policy advisory committee of the administering agency must maintain a broader perspective which embraces all of the operating agencies and the provision of services to them, i.e., training, coordination, program quality control and monitoring, training and technical assistance.

The responsibilities of the advisory committee should include participation in the assessment of need for day care in the total community; development of plans appropriate to meet indentified needs; determine the number and kinds of day care facilities for which the administering agency should contract and to which eligible agencies grants and contracts should be made for the enrollment of children; participation in the development of criteria for the selection of day care personnel both for home and center settings; procedures for the recruitment and hiring of staff; plans to utilize all available resources; participate in the development of procedures for the monitoring and evaluation of programs in terms of the Federal Day Care Requirements and/or State and local requirements; and development of procedures to ensure the democratic representation of parents in all phases of the development of policies which effect their children and families. In addition, the advisory committee present suggestions for program improvements and receive feed back from the staff regarding the implementation of such suggestions; create a procedure for hearing and resolving staff grievances and complaints as received from the community, from those at the applicant agency level, and from staff and parents of the operating agency when they are of such a nature or magnitude that the operating agency chooses to present them at the administering agency level; review and approve contracts or grants

for the provision of supportive services such as staff training; participate in the nomination of the program director and approve decisions to hire or fire the director; participate in the selection of the major staff hired by the administering agency, i.e., those persons responsible for the planning and development of the educational services, social services, training, and health and nutrition; develop and carry out a program of public relations which provides information and education to the community regarding day care services, promoting greater understanding and support for programs related to the needs of children and their families; approve enrollment procedures, fee schedules and methods for collecting fees from parents; assure that the available day care services are provided to the children with the greatest need, that parents have a choice in selecting the kind of program and day care facility they wish for their child. The advisory committee should also advise and assist in the development of programs to meet the needs of the parents as expressed by them.

An operating agency with more than 25% of its total enrollment constituting children whose care is provided for through federal funds must establish an advisory committee composed of parents of children receiving care in the operating agency day care program and representatives of professional organizations or individuals who have particular knowledge or skills in children's or family programs. Not less than fifty per cent of the committee membership shall be parents of children receiving care in the operating agency day care program and not less than one half of the parent members shall be parents of children whose care is provided for through federal funds.

Both the profit and non-profit operating agency can benefit by the guidance and support of parents and the community which results from an active advisory committee. Such a committee provides the opportunity whereby the participating parent can express himself in a positive way, resulting in services which please him and meet the needs of his family and in turn make him supportive of the operating agency and what it strives to do. In addition, the inclusion of professional and community representatives add strength to the program, whether proprietary or not, by bringing to it community resources and support. The ultimate greatest benefactor being the day care child.

The advisory committee of the day care operating agency whether a home or center program should be concerned specifically with the administrative and program aspects which influence the actual day care program in which their children participate.

The responsibilities of the advisory committee should include assisting in the planning of the program with particular attention to ethnic and cultural considerations; educational trips; the number and type of meals to be served; and maximizing the delivery of health services. It is important that the advisory committee communicate through its representative(s) to the administering agency's advisory committees the needs of the operating agency working diligently to help develop the policies set at the administering agency level so that those policies and subsequent services realistically meet the needs of the children and families served. In an operating agency of non-profit status the advisory committee should participate in the selection of the staff hired and participate in the nomination of the program direc-

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tor and approve decisions to hire or fire that director; also for an operating agency of profit-making status advise in the selection of Program Director and staff.

The advisory committee should create a procedure for hearing and resolving staff grievances and complaints as received from the parents and community; encourage and assure maximum participation of all parents in the day care activities not only as observers but workers and paid employees.

G. Administration and Coordination

The administering agency must assure that operating agencies give priority in enrollment to those children with the greatest relative need for day care who are eligible for services under the regulations of the Federal administering agency. Criteria for determining relative need must be developed by the administering agency and provided to all operating agencies.

Funds are made available to administering agencies for specific purposes defined in Federal programs. The administering agency must assure that the recipients of the services are those for which the federal funds have been allocated and that established priorities are followed.

Eligibility for day care services differs under the various federally funded programs. In some cases; eligibility is clear and specific and provides little room for discretion on the part of the administering agency. In other instances, eligibility is broad and provides for some option on the part of the administering agency for establishing priorities for service. When such an option is provided, the administering agency should establish priorities on the basis of need, with those families having the greatest need for day care services being given highest priority. Staff members responsible for the enrollment of children should be trained not only to apply specific tests of need, but also to make evaluative judgments as to the relative need for service on a case by case basis.

The administering agency must develop and maintain all records and make all reports which may be required by the Federal administering agency.

An operating agency must develop and maintain all records and make all reports which may be required by the administering agency.

There must be maintained a complete set of written records which reflect the administration of the program, compliance with requirements, program quality and other information useful in assessing problems so that technical assistance can be provided and strengths so that those elements can be shared with other Agencies.

The administering agency and operating agency may develop records and applications suitable to their needs. However, the Federal Administering Agency may require the use of specific forms which will yield uniform data on a natioal basis.

The administering agency must evaluate each operating agency at least once a year to determine that these Federal day care requirements are met. Administering agencies may develop a coordinated plan for evaluation when they utilize the services of the same operating agency.

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The administering agency which contracts for day care services is held totally responsible for the Federal administering agency for compliance with all requirements contingent to the use of the Federal funds.

Where more than one administering agency uses the services of the same operating agency they should coordinate their evaluation efforts so as to avoid duplication and making unnecesary requests of the operating Agency.

The administering agency must assure that all operating agencies comply with the specifications of title VI of the civil rights act of 1964, which requires that services in programs utilizing Federal funds are used and available without discrimination on the basis of race, religion, or national origin.

The Federal law prohibits discrimination on the basis of race, religion, or national origin and this particularly applies where Federal funds are used.

The administering agency is responsible for assuring that there is compliance with this requirement. A statement signed by the day care operator attesting to compliance, and kept on file in the office of the administering agency, is satisfactory evidence for initiating service. However, careful evaluation must be made regularly by the administering agency to determine that compliance is maintained. A procedure for handling complaints by parents regarding possible discrimination should be estabished by the administering agency and an operating agency found to be out of compliance must not continue to be used.

All administering agencies at the State level and at the local level in a State must coordinate their day care program planning and operation activities to avoid unnecessary duplication in service, to promote continuity in the care and service provided each child, and to maintain maximum efficiency of operation.

Because of the limited availability of funds for day care services it is the responsibility of administering agencies at all levels to pursue joint program pre-planning and continued coordination and to operate as efficiently as possible, Without coordination it is conceivable that eligible children could remain unserved in the midst of available resources.

Many mechanisms for coordination can be developed. The Federal design for coordination of Federal agencies and community resources related to day care services is the Community Coordinated Child Care (4–C) program. For further information, contact Director, Office of Child Development, DHEW, Washington, D.C. 20201.

IV. WAIVERS OF REQUIREMENTS

The administering agency may request waiver of a requirement when it can be shown that the requested waiver may advance innovation and experimentation and extend services without loss of quality in the program. Requests for waiver must be addressed to the federal administering agency providing the funds and to the office of child development. The Federal administering agency shall make decisions on requests for waiver.

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On occasion it may be necessary and desirable to permit new and different things to be explored in the areas of child development and day care programs. Such endeavors may require a waiver of the Federal Day Care Requirements. Only the administering agency providing the federal funds can waive requirements relative to their use.

The administering agency must be cautioned that when it contracts with an operating agency which is also being used by different set of funds and following different guildelines, it is important that this be reported in writing to the Office of Child Development. The Office of Child Development will then attempt to resolve any difficulties encountered because of the multiple funding jurisdictions.

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COMPARISON OF LONG BILL (S. 2003) AND TITLE VI OF RIBICOFF AMENDMENT NO. 318 TO HR. 1

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COMPARISON OF LONG BILL (S. 2003) AND TITLE VI OF RIBICOFF AMENDMENT NO. 318 TO H.R. 1

(Note: on July 22, 1971, Senator Ribicoff introduced printed amendment No. 318 to H.R. 1, the House-passed Social Security Amendments of 1971. Title VI of the Ribicoff Amendment would establish a Federal Child Care Corporation similar to the one that would be established under S. 2003 introduced earlier this year by Senator Long. The following comparison shows the major differences between the two legislative proposals).

Long Bill (S. 2003)	Ribicoff Amendment No. 318
Purpose	
To expand availability of adequate child care services by establishing a Federal Child Care Corporation which "will give special consideration to the needs for such services by families in which the mother is employed or preparing for employment, and will promote the well-being of all children by assuring that the child care services provided will be appropriate to the particular needs of the children receiving such services."	Additional purpose to "provide for substantial community participation in the establishment, operation, and review of such services."
Organization of Corporation	
Corporation headed by board consisting of three members, not more than two of whom may be members of the same political party.	Corporation headed by board consisting of five members, not more than three of whom may be members of the same political party; at least two members must be representatives of non-profit local community participation interests.
Duty of Corporation	
Corporation required "to meet, to the maximum extent economically feasible, the needs of the nation for child care services."	Corporation required "to fully meet the needs of the nation for child care services by July 1, 1976."

Long Bill (S. 2003)	Ribicoff Amendment No. 318
Child Care Fees	
Corporation required to charge and collect a reasonable fee for all child care services provided; part or all of the fee may be paid on the parents' behalf by a welfare agency.	Specifies that no fees may be charged to participants in the Opportunities For Families program or other manpower training programs during training and for one year following commencement of full-time employment; the Corporation's fee schedule "shall be designed to encourage the utilization of the most comprehensive day care program."
Priorities in Providing Child Care	
In arranging for child care services, Corporation is required to accord first priority to (1) children of welfare mothers, and (2) children of mothers working full time.	In addition, designed to encourage up to 25 percent of the enrollment in any child care program for children of parents not on welfare.
Child Care Standards	
Specifies Federal child care standards relating to maximum number of children per staff member, safety, fire protection, health, and sanitation.	In lieu of specifying statutory Federal standards in these areas, requires Corporation to develop standards "no less strict than the Federal Interagency Day Care Requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968, . . . updated by July 1, 1974, at the latest. Such requirements shall, by July 1, 1976, at a minimum incorporate the Interagency Recommendations of the Federal Panel on Early Childhood. . . . The Corporation shall review such regulations at least once a year and make amendments as needed to assure the highest possible standards for day care."

Location of Child Care Facilities

Requires corporation, in selecting locations for child care, facilities, to consider whether site selected is accessible to (1) residence of children served; (2) parents' place of employment, so that parent can participate in such programs as are offered parents by the facility; and (3) other facilities, programs, or resources beneficial to the development of the children served.

In addition, requires corporation to consider whether site "is safe, conducive to child development, welfare, and happiness."

Penalty for False Statement or Misrepresentation

False statement or misrepresentation in order to qualify as a child care facility punishable by fine up to $2000 or imprisonment up to six months.

In addition, facility involved shall be ineligible to participate in any Federally funded or assisted day care program for two years following conviction.

Source of Funds

Corporation's revolving fund has deposited in it (1) Treasury loan of up to $500 million, and (2) other income to Corporation (virtually entirely proceeds from fees).

Additional appropriations necessary to carry out the purposes of the Act are also deposited in revolving fund.

Long Bill (S. 2003)	Ribicoff Amendment No. 318

National Advisory Council on Child Care; Operation of Services Provided Directly by Corporation

Establishes 15-member National Advisory Council composed of Secretaries of Health, Education, and Welfare; Labor; and Housing and Urban Development, plus 12 other individuals; not more than one individual may be a representative of any organization composed of or representing welfare recipients.

Director of Office of Economic Opportunity also serves ex officio, leaving 11 other individuals; proviso limiting representation of welfare recipient organizations deleted; authorizes National Advisory Council to "appoint local, State, and regional councils as necessary to insure that child care services are appropriately located, that full utilization is made of existing resources, that cooperation is obtained from education, health, child welfare, social services, and volunteer groups, and that substantial local community participation in the establishment, operation, and review of day care programs is obtained. Where child care services are provided directly by the Corporation, such councils shall administer and operate such programs. Such councils shall include not less than 25 percent of the membership as parents whose children are presently in or have in the preceding five years been enrolled in a day care program."

Cooperation With Other Agencies

Authorizes Corporation to enter into agreements with health, education, and other agencies to provide services to children receiving child care.

Requires Corporation to enter into such agreements.

Definition of Child Care Services

Child care services defined as the provision "of such personal care, protection, and supervision of each child receiving such care as may be required to meet the child care needs of such child."

Child care services defined as the provision "of such personal care, protection, *development*, and supervision of each child receiving such care as may be required to meet the child care needs of such child." (Emphasis added).